

### THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE: PRESENTS SHALL COME:

# Sakata Seed Corporation

MICCOLS, THERE HAS BEEN PRESENTED TO THE

#### Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT; THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT OPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR TVARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84) SAMENDED, 7 U.S.C. 2321 ET SEO.)

#### ZINNIA

'Profusion Apricot'

In Testimony Therest, I have hereunto set my hand and caused the seal of the Hunt Institute Frateritien Office to be affixed at the City of Washington, D.C. this nineteenth day of November, in the year two thousand and four.

Attast:

Commissioner Plant Variety Protection Office Agricultural Marketing Service of Agriculturo

SCIENCE AND TEST AND CORP. A POWER THE REPORT OF TOTAL OF FOR APPLICATION FOR PLAY WARRY PROTECTION CERTIFICATION (APPLICATION AND PROPERTY OF THE AND PROTECTION CERTIFICATION).  1. IMAGE OF CHARGE  Sakata Seed Corporation  4. ADDRESS (Sirvet and Ma, or RED No. City, Sinte, and 20° Code, and Country)  2. 7-1 INstantabilidal  TSUZULET, CALL YORK CHARGE AND COMPANIES AND CONTROL OF THE AND CO		REPRODUCE EXCACET, include form humber and	orm number and date on all reproductions			Form Approved - OMB No. 0581-0055				
APPLICATION FOR PLANT VASEETY PRODUCTIONS  1. MANGE OWNERS  Sakata Seed Corporation  4. ADDRESS (Reveal and No., or R.D. No. Dity, Siele, and ZIP Cloth, and Country)  5. TELEPHONE (necked area oncole)  4. ADDRESS (Reveal and No., or R.D. No. Dity, Siele, and ZIP Cloth, and Country)  5. TELEPHONE (necked area oncole)  6. PAR (Inchote sees oncole)  7. E. THE COMICES MANGES IS NOT A PERSON, CINC FORM OF STATE OF PROCESSOR ATTORNEY STATE OF PROCESSOR		AGRICULTURAL MARKETING SERVICE SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE				The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.  Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).				
Sakata Seed Corporation  A ADDRESS (Renet and Mo. or R.F.D. No., Cay, Glade, and ZEP Code, and Country)  2.7-1. Nakatmachidai TSuzaki-Ku, Yokohama Japan 224  7. IF THE OWNER NAMED S. NoT A PERSON, GIVE FORM OF B. E. INCORPORATED GIVE. STATE OF INCOMPRISE NAMED S. NOT A PERSON, GIVE FORM OF STATE OF INCOMPRISE GIVE. STATE OF INCOMPRISE NAMED S. NOT A PERSON, GIVE FORM OF STATE OF INCOMPRISE GIVE. STATE OF INCOMPRISE NAMED S. NOT A PERSON, GIVE FORM OF INCOMPRISE GIVE. STATE OF INCOMPRISE NAMED S. NOT A PERSON, GIVE FORM OF INCOMPRISE GIVE. STATE OF INCOMPRISE NAMED S. NOT A PERSON, GIVE FORM OF INCOMPRISE GIVE. STATE OF INCOMPRISE NAME OF INCOMPRISE GIVE. STATE OF INCOMPRISE NAME OF INCOMPRISE GIVE. SARAM S. NOT A PERSON, GIVE FORM OF INCOMPRISE GIVE. STATE OF INCOMPRISE SECTION OF INCOMPRISE GIVE. STATE OF INCOMPRISE GIVE OF INCOMPRISE GIVE. SARAM S. NOT A PERSON, GIVE FORM OF INCOMPRISE GIVE. SARAM S. NOT A PERSON, GIVE FORM OF INCOMPRISE GIVE IN THIS APPLICATION. (Pivit pronon facted will receive all pagent)  PAUL RESPONSE GIVE THE SANGGARD GIVE STATE GIVE IN THIS APPLICATION. (Pivit pronon facted will receive all pagent)  10. CHARLES FOR COLUMNER REPORTS GIVE AND THE WASHINGTON OF INCOMPRISE GIVE TO AND THE WASHINGTON OF INCOMPRISE GIVE GIVE GIVE GIVE GIVE GIVE GIVE GIV										
A ADDRESS (Sireat and Alo., or R.F.D. No., City, Stells, and ZUP Code, and Country)  2.7-1. Nakomachidai TSUDJIK-KO, Yokohama Japan 224  7. If THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF IN. IF INCORPORATED, GIVE OKOMINZATION (proporation, personarily, association, etc.)  7. If THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF IN. IF INCORPORATED, GIVE OKOMINZATION (proporation, personarily, association, etc.)  7. If THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF IN. IF INCORPORATED, GIVE OKOMINZATION (proporation, personarily, association, etc.)  7. If THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF IN. IF INCORPORATED, GIVE OKOMINZATION (proporation, personarily), association, etc.)  7. If THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF IN. IF THE SPERICATION, (print person inted will receive and proposal)  7. If THE OWNER NAME OF INCORPORATION 18. BOSS STEME DIVE 19. AND THE MORE AND SPECIAL ATTACHMENT SUBMITTED 19. AND THE VARIETY A FROST OWNER NEW APPROVED PETITION TO DEBEGUALATE THE COCOMING PROPORATION (print person inted will receive and proposal proposal packets)  7. If THE VARIETY A FROST OWNER NEW APPROVED PETITION TO DEBEGUALATE THE COCOMING PROPORATION (print person inted will receive and proposal packets)  7. If THE VARIETY A FROST OWNER NEW APPROVED PETITION TO DEBEGUALATE THE COCOMING PROPORATION (print person inted will receive and proposal packets)  8. DO SET THE VARIETY CONTANT ANY THANSSONE  9. If VERS AND SPECIAL ATTACHMENT SUBMITTED 19. CHARLES AND APPROVED PETITION TO DEBEGUALATE THE COCOMING PROPOSAL PROPOSA		1. NAME OF OWNER						ARIETY NAME		
2-7-1 Nakumachidai Tsuzzik-Ku, Yokohama Japan 224  7 # IF THE CONVERT NAMED STROTA "FERGON", GIVE FORM OF STATE OF INCORPORATION CIRCAMAZATON (exposation, persentife, association, etc.)  7 # IF THE CONVERT NAMED STROTA "FERGON", GIVE FORM OF STATE OF INCORPORATION CIRCAMAZATON (exposation, persentife, association, etc.)  10 **NAME NIG ACORESS OF OWNER REFRIESENTATIVE(S) TO SERVE IN THIS APPLICATION, (first person liked will receive all pagent)  Paul Rabedeaux Gary Whiteaker Salata Seed Americus, Inc. 1809'S Section Drive Morgan Hill, CA 95037  11 **ELEPHONE (include area code) (408) 779-1978  12 **EANLE, 1809'S Section Drive Morgan Hill, CA 95037  13 **ELEPHONE (include area code) (408) 779-1978  14 **ELEPHONE (include area code) (408) 779-1978  15 **GENUS AND SPECIES NAME OF OROP Ziminia hybrida  16 **CRAMIC NAME (include area code) 17 **IS THE VARIETY A PIPST GIBBERTATION HYBERD? Ziminia hybrida  18 **CRAMIC NAME (include area code) 19 **ESTITUTE NAME (include area code) 10 **CREATE SECTION NAME (include area code) 11 **ESTITUTE NAME (include area code) 12 **CREATE SECTION NAME (include area code) 13 **EANLE (include area code) 14 **ESTITUTE NAME (include area code) 15 **GENUS AND SPECIES NAME OF OROP Ziminia hybrida  16 **CREATE SECTION NAME (include area code) 2 **ESTITUTE NAME (include area code) 2 **ESTITUTE NAME (include area code) 2 **ESTITUTE NAME (include area code) 3 **ESTITUTE NAME (include area code) 4 **ESTITUTE NAME (include area code) 4 **ESTITUTE NAME (include area code) 5 **ESTITUTE NAME (include area code) 6 **ESTITUTE NAME (include area code) 7 **ESTITUTE NAME (include area code) 7 **ESTITUTE NAME (include area code) 8 **ESTITUTE NAME (include area code) 9 **ESTITUTE NAME (include area code) 16 **ESTITUTE NAME (include area code) 17 **ESTITUTE NAME (include area code) 18 **ESTITUTE NAME (include area code) 19 **ESTITUTE NAME (include area		Sakata Seed Corporation				Profusion Apricot				
TSLIZUEL-KL, YOKohama   Japan 224   (408) 779-1978   TELEPHOR OF THE STATE OF INCORPORATION   (2070-1978)   TELEPHOR OF THE STATE OF INCORPORATION   TELEPHOR OF THE STATE OF INCORPORATION   TELEPHOR OF THE STATE OF INCORPORATION   TELEPHOR OF THE STATE OF THE STATE OF INCORPORATION   TELEPHOR OF THE STATE OF		4. ADDRESS (Street and No., or R.F.D. No., City	r, State, and ZIP Co	de, and Country)	<del>-  </del> ;	5. TELEPHONE (include area code)	FOR OFFICIAL USE ONLY			
TSUZULIS KU, Yokohama Japan 224  7. IF THE COVINER NAMED IS NOT A PERSON, GIVE FORM OF STATE OF INCOGONATION (AURITORY) CORPORATION (Exponenties, porthologie, association, etc.)  COTOCATION  ID. NAME AND ACCRESS OF OWNER REFIRESENTATIVE(S) TO SERVE IN THIS APPLICATION, (First person filled will receive of papers)  Paul Rabedeaux, Gary Whiteaker Sakata Seed America, Inc. 18095 Servene Drive Morgan Hill, CA 95037  11. ELEPHONE (include area code) (408) 779-1978  12. FAX (include area code) (408) 779-1978  13. EVAIL  TITLEPHONE (include area code) (408) 779-1978  14. CROP KIND (Common Rene) 15. GENUS AND SPECIES NAME OF GROPP 17. IS THE VARIETY A PRET GENERATION HYBRID? Zinnia hybrida 16. GENUS AND SPECIES NAME OF GROPP 17. IS THE VARIETY A PRET GENERATION HYBRID? Zinnia hybrida 16. GENUS AND SPECIES NAME OF GROPP 17. IS THE VARIETY A PRET GENERATION HYBRID? Zinnia hybrida 16. GENUS AND SPECIES NAME OF GROPP 17. IS THE VARIETY A PRET GENERATION HYBRID? Zinnia hybrida 18. DOES THE WARIETY CONTAIN ANY TRANSGENE 19. DENRE B. Statement of Distinctors or revues)  19. DENRE B. Statement of Distinctors or revues  19. DENRE B. Statement of the Group of the Variety  20. DENRE R. Statement of the Group of the Variety  21. DENRE B. Statement of the Group of the Variety  22. MAS THE VARIETY FRACULORING ANY HARVESTEEM MYERALI OR A HYBRID PRODUCED  23. The common state of the Control of the Control of Markety  24. STATE COMPANY SEED OR DETERMINED THE CONTROL OF THE CON		2-7-1 Nakamachidai				(408) 778-7758	PVPC	NUMBER		
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CORGANIZATION (Corporation, parthership, association, etc.)  STATE OF INCORPORATION  December 12, 1942  July 19  Corporation  10. NAME AND ACORRESS OF OWNER REFRESCRITATIVE(S) TO SERVE IN THIS APPLICATION. (First paration fixed will receive all paperat)  Paul Rabedeaux Gary Whiteaker Sakata Seed America, Inc. 18095 Serene Drive Morgan Hill, CA 95037  11. TELEPHONE (Include area code) (408) 778-7758  (408) 778-7758  12. FAXI (Include area code) (408) 778-7758  (408) 778-7758  13. GROPRIND (Common Name)  15. GENUS AND SPECIES NAME OF CIRCP Zinnia Compositiac (Asternaceae)  15. GENUS AND SPECIES NAME OF CIRCP Zinnia hybrida  16. OFFICK APPROPRINTE SUX FOR EACH ATTACHMENT SUBMITTED (17) CHECK APPROPRINTE SUX FOR EACH ATTACHMENT SUBMITTED (18) C. Dischiel A. Origin and Reading Mistary of the Variety Common in reviews  17) Gentheld. D. Additional Description of The Warlety (Optional)  18) C. Dischiel A. Origin and Reading Mistary of the Variety Common in reviews  19) Dischiel A. Origin and Reading Mistary of the Variety (Optional)  19) Dischiel A. Origin and Reading Mistary of the Variety (Optional)  20) Dischiel A. Datational Description of the Warlety (Optional)  21. DESCRIPTION OF THE COMMON OF PROVING SECURITY SEED OF THE NUMBER OF CENTRAL TORS.  22. DOES THE OWNER SECURITY THAT SEED OF THE NUMBER OF CENTRAL TORS.  23. DOES THE OWNER SECURITY THAT SEED OF THE NUMBER OF CENTRAL TORS.  24. SI THE VARIETY (INCLUDING ANY HANNESSED OMERS, ORIGINAL TORS.)  25. The warter of provide the Common of the Warlety Production of the Warlety P					- 1	(408) 779-1978	FILING DATE			
To Number AND ACCRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First purson lided will receive all papers)  Paul Rabedeaux Gary Whiteaker Sakata Seed America, Inc. 18095 Serene Drive Morgan Hill, CA 95037  11. FELEPHONE (Inducte area code) (408) 778-7758 (408) 779-1978  12. FAX (Inducte area code) (408) 778-7758 (408) 779-1978  13. E-MAIL Parabedeaux (AND PRESIDE (Common Rame)  14. FROP KIND (Common Rame)  15. FAMILY NAME (Betance) Compositate (Asteraceae)  25. Innia 16. CROP KIND (Common Rame)  17. IS THE VARIETY A FREST GENERATION HYBRIDY Compositate (Asteraceae) Composi		7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.)  8. IF INCORPORATED, GIVE STATE OF INCORPORATED, GIVE STATE OF INCORPORATED.				9. DATE OF INCORPORATION July 23, 20		Suly 23,2004		
Paul Rabedeaux Gary Whiteaker Sakata Seed America, Inc. 18095 Serene Drive Morgan Hill, CA 95037  11. FILLEPHONE (Include area code) Morgan Hill, CA 95037  12. FAX (Include area code) (408) 779-1978  13. EMAIL prabedeaux@sakata.com 14. CROP KIND (Common Name) 15. GENUS AND SPECIES RAME OF CROP 17. IS THE VARIETY A FIRST GENERATION HYBRID?  25. Intia 19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Fictions instructions on review) designed on the Variety (Cyclional) 19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (19. Exhibit B. Statement of Discinichess 10. Exhibit C. Original Beneding History of the Variety 10. Exhibit B. Statement of Discinichess 11. EVILUENT SITEPLY (See Submit Conference) 12. Exhibit B. Statement of the Basis of the Commercial Conference on the Variety (Cyclional) 13. EMAIL PROPRIED TO COMMERCALIZED ON TO ERROR (Include area code) 14. STATE VARIETY (See Submit Conference) 15. GENUS AND SPECIES AME OF CROP EACH ATTACHMENT SUBMITTED (19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (19. CHECK APPROPRIATE OF DESCRIPTION TO DERECULATE THE COMMERCANCES (19. Statement of Discinichess 10. CHECK APPROPRIATE OF DESCRIPTION TO DERECULATE THE COMMERCANCES (19. Statement of Discinichess 11. CHECK APPROPRIATE OF DESCRIPTION TO SHEET AND THE CHECK APPROPRIATE OF DESCRIPTION TO DERECULATE THE COMMERCANCES (19. Statement of Discinichess of Discinic APPROPRIATE OF DESCRIPTION TO		Corporation JP		JP	December 12, 1942					
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Gary Whiteaker Sakata Seed America, Inc. 18095 Serene Drive Morgan Hill, CA 95037  11. TELEPHONE (Include area code) (408) 778-7758 (408) 779-1978 (408) 778-7758 (408) 779-1978 prabedeata(@sakata.com If A, GROF KND (Common Name) Include area code) (408) 778-7758 (408) 779-1978 Include area code)  Include area code) Include area code on the code area code) Include area code on the code area code) Include area code on the code area code area code) Include area code a		Paul Rahedeaux					E .	s 3652.00		
Sakata Seed America, Inc.  1809S Serene Drive Morgan Hill, CA 95037  11. TELEPHONE (Include area code) (408) 778-7758 (408) 778-7758 (408) 779-1978 prabedeatux@sakata.com  14. CROP KIND (Common Name) Zinnia Compositae (Asteraceae) Zinnia Gossus And Species NAME OF CROP Zinnia hybrida  15. GENUS AND SPECIES NAME OF CROP Zinnia hybrida  16. FAMILY SAME (Bistanceae) Zinnia hybrida  17. Is THE VARIETY A FIRST GENERATION HYBRID7 Zinnia hybrida  18. DOES THE VARIETY CONTAIN ANY TRANSGENE APPROVED PETITION TO DEREGUATE THE CO COMMERCIATE ON THE ASSIGNED USDA.APH APPROVED PETITION TO DEREGUATE THE CO COMMERCIATE ON THE COMMINISTRATION OF CROPS AND APPROVED PETITION TO DEREGUATE THE CO COMMERCIATE  18. DOES THE CONTROL ANY TRANSFER OF THE SEED OF THE NUMBER OF CLASSES TO NUMBER OF						•		DATE 7/23/04		
Morgan Hill, CA 95037  11. TELEPHONE (Include area code) (408) 778-7758 (408) 779-1978 (408) 779				•			C E	CERTIFICATION FEE:		
11. TELEPHONE (Include area code)   12. FAX (Include area code)   13. E-MAIL   prabedeaux(@sakata.com   14. CROP KIND (Common Name)   16. FAMILY NAME (Botanical)   18. DOSS THE VANIETY CONTAIN ANY TRANSCENE   18. GENUS AND SPECIES NAME OF GROP   17. IS THE VARIETY A FIRST GENERATION HYBRID?   18. DOSS THE VANIETY CONTAIN ANY TRANSCENE   18. DOSS THE VANIETY CONTAIN ANY TRANSCE							1	\$ 432.00		
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19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED  (Pollow instructions on reverse)  a.					BRID?	APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR				
(Follow instructions on reverse) a. ☑ Exhibit A. Origin and Breading History of the Variety b. ☑ Exhibit B. Statement of Distinctness c. ☑ Exhibit C. Objective Description of Variety d. ☐ Eshibit C. Objective Description of Variety d. ☐ Eshibit C. Objective Description of Variety d. ☐ Eshibit C. Statement of the Basis of the Owner's Ownership f. ☑ Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, venification that tissue culture will be deposited and maintained in an approved public repository) g. ☑ Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)  23. HAS THE VARETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARETY SEEN SCL. DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? ☑ YES ☐ NO  If YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such requested variety at issue culture will be deposited in a public repository and maintained for the duration of the certificate.  The undersigned owner(s) (signe) the neutre of this source) and public repository and maintained for the duration of the certificate.  The undersigned owner(s) (signe) the neutre of this source) and maintained for the duration of the certificate.  The undersigned owner(s) (signe) the neutre of the source) seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety and particular properties of the duration of the certificate.  The undersigned owner(s) (signe) the neutre of this source) and public repository and maintained for the duration of the certificate.  The undersigned owner(s) (signe) the neutre of the source) and the properties of t	_					**************************************				
a.			ACHMENT SÜBMIT	TTED		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)				
b.		a. Exhibit A. Origin and Breeding History	of the Variety			YES (If 'yes", answer items 21 and 22 below)  NO (If "no", go to item 23)				
C. Exhibit C. Objective Description of Variety  d. Exhibit D. Additional Description of the Variety (Optional)  e. Exhibit E. Statement of the Basis of the Owner's Ownership  f. Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that itssue culture will be deposited and maintained in an approved public repository.  g. Filing and Examination Fee (\$3,852), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)  23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED PROMITIES YABITY SEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRY SEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety at state example of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety at state example of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety and believe(s) that the variety is new, distinct, uniform, and stab entitled to protection under the provisions of Section 42 of the Plant Variety Protection and result in penalties.  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  DATE  DATE  CAPACITY OR TITLE  DATE		. <b>=</b>	ŕ			21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO				
6. Exhibit D. Additional Description of the Variety (Optional)  e. Exhibit E. Statement of the Basis of the Owner's Ownership  f. Voucher Sample (2,500 viable unireated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)  g. Filing and Examination Fee (\$3,652), made payable to 'Treasurer of the United States' (Mail to the Plant Variety Protection Office)  23. HAS THE VARIETY (INCLIDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FOR THE VARIETY SEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES?  24. IS THE VARIETY OR ANY COMPONENT OF THE VINTELECTUAL PROPERTY RIGHT (PLANT BREE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regard tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  26. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regard tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  27. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regard to the propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  28. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stabentified to protection under the provisions of Section 42 of the Plant Variety Protection Act.  29. Owner(s) is (are) informed that false represen					•					
e.		<del></del> :				<del>-</del>				
f. Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)  g. Viable Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)  3. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY SEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?  Ves No  IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  The undersigned owner(s) is (are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stabentitled to protection under the provisions of Section 42 of the Plant Variety Protection and result in penalties.  SIGNATURE OF OWNER  INMER OF GENERATIONS?  VES NO  IF YES, VIA MUST PROVIDE THE DATE with an approved public repository of the United States of the United States of the United States of the United States of the Very Please use space indicated on reverse.)  If YES, SPECIFY THE NUMBER 1, 23, etc. FOR EVEN Expositions of Section 12 of the United States of the Unit	\$28°	· ·				IF YES, WHICH CLASSES? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED  22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO				
verification that itssue culture will be deposited and maintained in an approved public repository)  9. If Jiling and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)  123. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES?  124. IS THE VARIETY OR ANY COMPONENT OF THE VINTERLECTUAL, PROPERTY RIGHT (PLANT BREE OF THE VINTERLECTUAL) PROPERTY RIGHT (PLANT BREE OF REACH COUNTRY) AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  125. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  126. The undersigned owner(s) is(are) the owner of this sexualty reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stabentitled to protection under the provisions of Section 42 of the Plant Variety Protection and result in penalties.  127. SIGNATURE OF OWNER  128. PLANT BREE  129. YES NO						NUMBER OF GENERATIONS?				
FYES, SPECIFY THE NUMBER 1,2,3, etc. FOR EUROPOSITION   FYES, SPECIFY THE NUMBER 1,2,3, etc. FOR EUROPOSITION   FYES, SPECIFY THE NUMBER 1,2,3, etc. FOR EUROPOSITION   FOUNDATION   REGISTERED   Ct. (If additional explanation is necessary, please use the States' (Mail to the Plant Variety Protection Office)		verification that tissue culture will be de				YES V NO				
States" (Mail to the Plant Variety Protection Office)  23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY SEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES?  24. IS THE VARIETY OR ANY COMPONENT OF THE VINTELLECTUAL PROPERTY RIGHT (PLANT BREE OTHER COUNTRY AND THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety at its sue culture will be deposited in a public repository and maintained for the duration of the certificate.  The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stabe entitled to protection under the provisions of Section 42 of the Plant Variety Protection and result in penalties.  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  CAPACITY OR TITLE  DATE		repository)			-	IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS.				
(If additional explanation is necessary, please use the Property (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES?  YES NO  IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such reg a tuber propagated variety at tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stab entitled to protection under the provisions of Section 42 of the Plant Variety Protection and result in penalties.  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  (If additional explanation is necessary, please use the transport of THE V INTERIOR OF ANY COMPONENT OF THE V INTERIOR OF THE V INTERIOR OF ANY COMPONENT OF THE V INTERIOR OF THE VARIETY OR THE V INTERIOR OF THE VIOLETTE OF THE V INTERIOR OF THE V INTERIOR OF THE V INTERIOR OF THE VIOLETTE OF THE V INTERIOR OF THE V INTERIOR OF THE V INTERIOR OF THE V INTERIOR OF				easurer of the United		FOUNDATION REGISTERED CERTIFIED				
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if YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  If YES, PLEASE GIVE COUNTRY, DATE OF FILING REFERENCE NUMBER. (Please use space indicated on reverse.)  25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regality at the undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stabentified to protection under the provisions of Section 42 of the Plant Variety Protection Act.  Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  DATE  DATE  CAPACITY OR TITLE  DATE		FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)?				
FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)  REFERENCE NUMBER. (Please use space indicated on reverse.)  25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regal tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stab entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.  Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  CAPACITY OR TITLE  DATE  DATE  DATE  CAPACITY OR TITLE  DATE		✓ YES □ NO				✓ YES NO				
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Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.  SIGNATURE OF OWNER  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  DATE  DATE										
NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE  SIGNATURE OF OWNER  SIGNATURE OF OWNER  NAME (Please print or type)  Paul Rabedeaux  CAPACITY OR TITLE  DATE		entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.								
NAME (Please print or type) Paul Rabedeaux  CAPACITY OR TITLE  DATE  DATE  DATE  CAPACITY OR TITLE  DATE		Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.								
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IPR Coordinator 7/22/04 IPR Coordinator		IPR Coordinator 7/22/04 IPR				Coordinator				

#### INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office Telephone: (301) 504-5518 FAX: (301) 504-5291

Homepage: http://www.ams.usda.gov/science/pvpo/pvp.htm

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 http://www.ams.usda.gov/lsg/seed.htm.

#### **ITEM**

19a. Give:

- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
- (2) the details of subsequent stages of selection and multiplication;
- (3) evidence of uniformity and stability; and
- (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
  - (1) identify these varieties and state all differences objectively;
  - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
  - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
- 20. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
- 23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
- 24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filling date.
- 22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)
- 23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Date of first sale: USA, 12/15/2003

Japan, 10/30/2003

EU, 1/7/2004

24. CONTINUED FROM FRONT (Please give the country, date of filling or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

Japan PBR: Certificate #16435, granted 12/12/2003

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. Valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require atternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

## Exhibit A Breeding History of the Variety

In 1998, an off-type of the commercially available *Zinnia hybrida* variety 'Profusion Orange' (PVP certificate number 9800013) was identified in Salinas, California USA. The off-type had a light orange-cream color, compact growth habit, heat tolerance and a strongly branching form.

Cuttings of the off-type were sent to Misato, Japan for further evaluation and development. In Misato, the off-type was self-pollinated to obtain  $S_1$  generation seed. The  $S_1$  generation was named 2K-SA.

In 1999, 2K-SA was self-pollinated to produce an S<sub>2</sub> generation. The S<sub>2</sub> generation was named 2K-SA-1.

In the spring and summer of 2000, 2K-SA-1 was sown in the greenhouse and transplanted into the field in Misato and evaluated for stability and uniformity of traits. In June and August 2000, the stability and uniformity of the new line were confirmed and the new line was named 'Profusion Apricot'.

Since the original breeding was performed, 'Profusion Apricot' has been sexually reproduced and judged stable for at least 5 generations. 'Profusion Apricot' is uniform for all traits as described in Exhibit C. 'Profusion Apricot' shows no variants other than what would normally be expected due to environment.

## **Exhibit B Statement of Distinctness**

'Profusion Apricot', to the best of our knowledge, is most similar to the commercially available *Zinnia hybrida* variety 'Profusion Orange'. 'Profusion Apricot' is distinct from 'Profusion Orange' mainly in ray floret color. Colors are referenced to the Color Chart of the Royal Horticultural Society. Colors were assessed in two independent greenhouse trials in Salinas, CA. One trial was performed in from March through May 2004 and the other trial was performed from May through July 2004.

Zinnia variety	Ray floret color	
Profusion Apricot	Dorsal side: RHS 19A (yellow-orange)	
	Ventral side: 158C (white) with RHS 144B	
	(yellow-green) stripes	
Profusion Orange	Dorsal side: RHS 28B (orange) with RHS	
	33A (orange-red) streaks	
	<u>Ventral side:</u> 21C (orange)	

Photographs of the color difference on the dorsal side of the ray florets can be seen in Figures 1 and 2.

## **Exhibit B Statement of Distinctness**



**Figure 1.** Comparison of full plants of Zinnia 'Profusion Apricot' (left) with Zinnia 'Profusion Orange' (right). 'Profusion Apricot' has a lighter yellow-orange color than 'Profusion Orange', as detailed in Exhibit B. Colors have been reproduced in the photograph and print as close as possible to actual colors.

5

## **Exhibit B Statement of Distinctness**



**Figure 2.** Comparison of inflorescences and ray florets of 'Profusion Apricot' (right) and 'Profusion Orange' (left). 'Profusion Apricot' has a lighter yellow-orange color than 'Profusion Orange', as detailed in Exhibit B. Colors have been reproduced in the photograph and print as close as possible to actual colors.

#### NITED STATES DEPARTMENT OF AGRICULTUR AGRICULTURAL MARKETING SERVICE LIVESTOCK, POULTRY, GRAIN & SEED DIVISION BELTSVILLE, MARYLAND 20705

EXHIBIT C (Zinnia)

### OBJECTIVE DESCRIPTION OF VARIETY ZINNIA (ZINNIA SPP.)

INSTRUCTIONS: See Reverse,	
NAME OF APPLICANT(S)	FOR OFFICIAL USE ONLY
SAKATA SEED CORPORATION ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)	PVPO NUMBER 200400275
2-7-1 NAKAMACHIVAI	VARIETY NAME OR TEMPORARY
TSUZUKI- KU, YOKOHAMA	DESIGNATION
JAPAN 224	Profusion Apricot
Place the appropriate number that describes the varietal character of this variety in the	he boxes below.
Place a zero in first box (e-8-089 or 09) or 09) when number is either 99 or less of 1. SPECIES:	or y or less.
	= SPECIES CROSS 2. ANGUSTIFOLIA
2. PLOIDY:	≠. ELEGANS
1 = DIPLOID (24) 2 = TETRAPLOID (48) 3 = OTHER (Specify)	
3. FLOWER TYPE:	
1 = BUTTON (Cherry Buttons, Thumbelina) 2 = POMPON (Scarlet Gem, White G	iem) 3 = DAHLIA (Dream, Exquisite)
4 = CRESTED , SCABIOSA (Wind Witch) 5 = CACTUS (Blaze, Sunny Boy)	6 = MEXICAN (Old Mexico)
4. PLANT:	
6 D DAYS FROM EMERGENCE TO 2 Season: 1 = SHORT, CONCENTRATED FLOWERING	D 2 = LONG, CONTINUOUS FLOWERING
0 8 NO. OF PRIMARY BRANCHES 2 5 NO. OF SECONDARY BRANCHES	O O NO. OF TERTIARY BRANCHES
Main Stalk:	<u> </u>
05 NO. OF INTERNODES  OZ CM. LENGTH OF INTERNODE BETWEEN FIRST & SECOND NODES	MM. DIAMETER BETWEEN FIRST
Habit: 1 = COMPACT 2   Habit: CM, WIDE	Habit: CM, HIGH
3 = PL	ム5 UBESCENT
5. LEAF:	
Shape: 1 = LANCEOLATE 2 = OVATE 3 = ELLIPTIC / 8 MM. WIDE	70 MM, LONG
2 Dorsal Surface: 1 = GLABROUS 2 = PUBESCENT 2 Ventral Surface:	1 = GLABROUS 2 = PUBESCENT
6. FLOWERS:	
CM. LENGTH OF CUT FLOWER AVERAGE NO. PER PLANT (from head to first branch)	O 5 CM. DIAMETER OF HEAD
Z Stems: 1 = RIGID 2 = FLEXIBLE Z Stems: 1 = BRITTLE 2 = WIRE	
Doubleness: 1 = SINGLE (one row of rays) 2 = SEMI-SINGLE 3 = SEMI-DOUBLE (many rows of rays) 4 = DOUBLE (all ra	(several rows of rays) ys)
7. RAY PETALS:	
1 = FLAT 2 = TWISTED 3 = CURLED 4 = SHAGGY 5 = QUIL 6 = COMBINATION OR OTHER (Specify)	LED
Dorsal Surface:  Dorsal Surface:	0 = 2000
2 Ventral Surface: 7 Ventral Surface:	1 = DULL 2 = SHINY
APICES:	이 강합적 등중을 하다 나는
2 1 = ACUTE 2 = OBTUSE Z 1 = ENTIRE 2 = NOTCHED 3	3 = SPINED

8. COLOR OF RAYS: (Colo	rs listed below apply to Monocolor and Color Pat	terns.)	
MONOCOLOR			
Color Patterns for Bicolor	or Multicolor:	•	
	APEX BASE	BACK- GROUND COLOR // O STREAKS	STRIPES
Dorsal Side:			
Ventral Side:	SPOTS BLOTCHES C	THER (Specify)	
	CREAM 03 = PINK 04 = ROSE 0 GREEN 11 = LAVENDER 12 = SCAF	5 = RED 06 = ORANGE RLET 13 = SALMON	
9. DISK FLORETS:	**************************************		
	PRESENT, COVERED 3 = PRESENT, CONSPICUOUS	1 = NOT QU	LLED 2 = QUILLED
O 6 Color: (Choose fi	rom colors in No. 9 above)		
10. ANTHOCYANIN: (1 = /	Absent, 2 = Present)		
/ SEEDLINGS 2	STEMS LEAVES / FLO	WERS	
11. SEEDS:			
Yield: 1 = NONE	1 = NONE 2 = POOR 3 = FAIR 4 = GOOD 0 6 MM. LONG 0 3 MM. WIDE		
12. DRIED RECEPTACLE (Af	tec seed removal):		
4 Shape: 1 = FLAT	2 = DOME 3 = GLOBE 4 = CONE	/ CM, LENGTH	2 CM. DIAMETER AT BA
13. DISEASE: (0 = Not Teste	ed, 1 = Susceptible, 2 = Resistant)		
O MILDEW O	WILT O LEA	ERNARIA F SPOT	
	ST CLOSELY RESEMBLING THAT SUBMITTI	D:	
CHARACTER Flower size	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Flower type	Profusino Orange	Plant size	Profusion Orange
Flower color	Profusion Drange	Foliage size	Profusion Craw
Plant Habit	Profusion Orange	Maturity	Profusion Oran
	REFERENCES:	<del></del>	
1. Bodger Seed Company, L'	TD. The Zinnia and Its Uses. Bul. No. 1	19 pp 1935	
	The Zinnia. Purdue University Ext Service		
	narma. Germplasm Resources of the Genus		0.181 1071
4. Weddle, Charles. The Elec	ant Zinnia. Nat. Hort. Mag. 24(2): 83-91.	1945	, TAT! 17/11
5. Nickerson's or any recognicomments:	zed color fan should be used to determine	the plant colors of the descri	bed variety.

REPRODUCE LOCALLY. Include form number and edition date on al	reproductions.	ORM APPROVED - OMB No. 0581-005
U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE	Application is required in order to det certificate is to be issued (7 U.S.C. 2	
EXHIBIT E	confidential until the certificate is issu	
STATEMENT OF THE BASIS OF OWNERSHIP		l a va sustanta
1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Sakata Seed Corporation		Profusion Apricot
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)	5. TELEPHONE (Include area code)	6. FAX (Include area code)
2-7-1 Nakamachidai	(408) 778-7758	(408) 779-1978
Tsuzuki-Ku, Yokohama Japan 224	7. PVPO NUMBER	
Sapan 224	<u> </u>	20040027
8. Does the applicant own all rights to the variety? Mark an "X" in the	e appropriate block. <b>If no, please expla</b>	in. YES NO
9. Is the applicant (individual or company) a U.S. national or a U.S. b	pased company? If no, give name of co	ountry. YES NO
Japan		
10. Is the applicant the original owner?	NO If no, please answer one	of the following:
a. If the original rights to variety were owned by individual(s), is (	are) the original owner(s) a U.S. Nationa	al(s)?
YES	NO If no, give name of count	ry
lii	Japan	
h léabh ainin l inki a minin mar dhu a mar dhu		
b. If the original rights to variety were owned by a company(ies),	, is (are) the original owner(s) a U.S. bas	
	Japan	
	·	in the second
11. Additional explanation on ownership (Trace ownership from origin	nal breeder to current owner. Use the re	verse for extra space if needed):
'Profusion Apricot' was developed by a breeder under employmen	at by Sakata Seed Cornoration	
Trotusion Apricot was developed by a breeder under employmen	it by Sakata Seed Corporation.	
	•	
PLEASE NOTE:		
Plant variety protection can only be afforded to the owners (not licens	ees) who meet the following criteria:	
<ol> <li>If the rights to the variety are owned by the original breeder, that penational of a country which affords similar protection to nationals of</li> </ol>	erson must be a U.S. national, national of the U.S. for the same genus and specie	of a UPOV member country, or es.
<ol><li>If the rights to the variety are owned by the company which employ nationals of a UPOV member country, or owned by nationals of a c genus and species.</li></ol>	red the original breeder(s), the company country which affords similar protection to	must be U.S. based, owned by onationals of the U.S. for the same
3. If the applicant is an owner who is not the original owner, both the o	original owner and the applicant must m	eet one of the above criteria.
The original breeder/owner may be the individual or company who direct for definitions.	ected the final breeding. See Section 4	1(a)(2) of the Plant Variety Protection

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